



04-14-09

IFW/1636

Dkt. No. 96700/1160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David S. Lawrence and Biao Xi
Appl. No. : 10/586,892
Filed : February 9, 2007
For : ENHANCED PRODUCTION OF FUNCTIONAL PROTEINS
FROM DEFECTIVE GENES
Art Unit : 1636
Examiner : Jennifer Ann Dunston
Costumer No. : 1912

**REPLY TO MARCH 30, 2009 OFFICE ACTION AND
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

"Express Mail" mailing label No.	EM 289895405 US
Date of Deposit:	April 13, 2009
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Alan D. Miller
Signature:	

This reply is submitted in response to the Office Action issued on March 30, 2009 in connection with the above-identified application. A response is due by April 30, 2009. Accordingly, this reply is being timely filed.

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REMARKS

Claim 1-38 are pending and under examination in the subject application.

Election of Species Requirement

The Examiner required that applicants elect a combination of 1) a single species of agent used to suppress a genetic mutation and/or correct a defect caused by a mutation, and 2) a single species of agent used to increase transcription of a gene.

In reply, applicants elect, without traverse, the combination of 1) gentamicin as the species of agent used to suppress a genetic mutation and/or correct a defect caused by a mutation, and 2) thioguanine as the species of agent used to increase transcription of a gene.

Applicants maintain that all claims are readable on the elections with the exceptions of Claims 5, 7-8, 22-23, 26, 32-34 and 37.

Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement is being filed to supplement the Information Disclosure Statement filed on July 20, 2006 in connection with the above-identified application. In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the references that are listed on the attached Forms PTO/SB/08A-B (4 pages). A copy of each non-U.S. Patent Document is attached hereto.

Applicant is submitting the subject Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §1.97(b)(3) before the mailing of a first Office Action on the merits. Accordingly, no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement.

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CONCLUSIONS

No fee is deemed necessary in connection with the submission of this reply. However, if any fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: April 13, 2009
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By


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